

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY**

**MIRANDA DAWN SMITH, on behalf of
the ESTATE OF ALVIS RAY
SHREWSBURY,
Plaintiff,**

v.

**Civil Action No. 5:23-cv-00210
Honorable Frank W. Volk**

**WEST VIRGINIA DIVISION OF
CORRECTIONS AND
REHABILITATION, et al.,**

Defendants.

**WVDCR DEFENDANTS' RENEWED MOTION
FOR PARTIAL SUMMARY JUDGMENT**

COMES NOW Defendants West Virginia Division of Corrections and Rehabilitation, Aaron Johnson, Johan Radosevich, Ashley Toney and Nicholas Burton (collectively "WVDCR Defendants"), by their counsel, the law firm of BAILEY & WYANT, P.L.L.C., William E. Murray, John P. Fuller and Jaden P. Rhea, and for the reasons more fully stated in the Memorandum of Law filed contemporaneously herewith, moves this Honorable Court for entry of an Order granting summary judgment in favor of Defendants with regard to any claim based upon the alleged wrongful death of Mr. Shrewsbury.

**WEST VIRGINIA DIVISION OF
CORRECTIONS AND
REHABILITATION, AARON JOHNSON,
JONAH RADOSEVICH, ASHLEY TONEY
AND NICHOLAS BURTON,
By Counsel,**

/s/ Jaden P. Rhea

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of foregoing **“WVDCR DEFENDANTS’ RENEWED MOTION FOR PARTIAL SUMMARY JUDGMENT”** was served upon the following parties through the Court’s Electronic Case Filing (ECF) system on this day, February 8, 2024:

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